

REMARKS

Reconsideration is requested.

The allowance of claims 63-69 and indication that claims 42-49 contain allowable subject matter are acknowledged. Claim 42 has been rewritten into independent form, including all the limitations of the base claim and any intervening claim, and is therefore allowable. As Claims 43-49 depend on Claim 42, they too are allowable.

Claims 32-41, 70 and 71 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 2,966,054 to Muttart. This rejection is respectfully traversed.

Claim 32 as presently on file (i.e., as previously amended) specifies that the first lock means is operated from the other side of the wing to that from which the blocking means is operated, and that the first lock means is operated from the other side of the operating member. Thus, the blocking means must be operable from the same side of the wing as said operating member. This claim also requires that operation of the blocking member prevents retraction of the bolt by said operating member, i.e., by the operating member on the same side of the wing as that from which the blocking member is operated. In the Muttart arrangement, such features would equate, perhaps, to the dogging button 56 or 81, which is provided on the inner side of the wing, preventing inner knob 29 from retracting the bolt, as the Examiner has suggested. However, it is apparent from Column 1, lines 20 to 22, and Column 3, lines 15 to 18 of the Muttart specification that operation of the dogging button of Muttart prevents retraction of the bolt by only the outer knob 30. This is achieved by keying the spindle 28, shown towards the left side of the diagram, against rotary movement. There is no teaching or suggestion of the spindle 27, and thus inner knob 29, being keyed by operation of the dogging button. Thus, with the

arrangement of Muttart, it does not seem that operation of the dogging means prevents operation of inner knob 29 to retract the bolt.

Furthermore, Claim 32 requires that operation of the first lock means both de-actuates the blocking means, if operated, and retracts the bolt. According to Column 2, lines 34 to 41, and Column 4, lines 58 to 67, of the Muttart specification, upon operation of the first lock means 66 via key actuation, separate means are provided for withdrawing the latch bolt without disturbing the inner actuating mechanism or the dogging portion associated with the outer mechanism. Thus operation of the first lock means does not de-actuate the blocking means; it merely overrides them so that they do not need to be reset after key operation of the first lock. The Examiner appears to be asserting that key operation of the Muttart lock equates to de-actuation of the dogging means. However, this is clearly not the case. In Column 1, lines 56 to 60 of the Muttart specification, it is stated that repeated key operations are permitted without necessitating resetting of the dogging button. Thus, the dogging button remains set after key operation, and has not been de-actuated by key operation. Applicant would like to point out that there is a difference between the "de-actuation" of the blocking means required in applicant's Claim 32, and the "overriding" of the blocking means by operation of a key as described in the Muttart specification.

Therefore, Claim 32 is allowable

As claims 32-41 depend on Claim 32, they too are allowable.

Claim 70 requires that operation of the first lock retracts the bolt and de-actuates the blocking means. However, as described above, Muttart discloses a lock wherein operation of the first lock does not de-actuate the blocking or dogging means. Claim 70

also requires that the blocking means can be de-actuated from both sides of the wing. There is no suggestion in the Muttart specification of more than one dogging button being envisaged.

Claim 71 requires that the blocking means are operable from both sides of the wing to prevent operation of the operating member to retract the bolt. The Examiner asserts that the Muttart blocking means "are operable from both sides of the wing". However, as stated in Column 2, lines 28 to 33 of the Muttart specification, the Muttart blocking means is set by operation of the dogging buttons 56 or 81. There is no teaching or suggestion of two such buttons being provided at opposite sides of the wing. Operation of the key in the lock does not actually de-actuate the dogging means. The word "operate" does not include de-actuation.


Therefore, Claims 70-71 are allowable.

In view of the foregoing, allowance of Claims 32-49 and 70-71, in addition to the previous allowance of Claims 63-69 is requested.

The Examiner is requested to telephone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone consultation at any time.

Respectfully submitted,

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